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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,620	07/16/2003	Byung-Jin Kim	2950-0270P	7305
2292 7590 02/07/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER BOCCIO, VINCENT F	
			ART UNIT 2165	PAPER NUMBER
			NOTIFICATION DATE 02/07/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

mn

<b>Office Action Summary</b>	<b>Application No.</b> 10/619,620	<b>Applicant(s)</b> KIM ET AL.	
	<b>Examiner</b> Vincent F. Boccio	<b>Art Unit</b> 2165	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment & Response of 11/6/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20 and 23-41 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20 and 23-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/245,855.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2165.

***Response to Arguments***

1. Applicant's arguments with respect to amended claims 20, 23-26, new claims 27-41 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 20, 23-25, 27-30, 32-35, 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al. (US 5,923,869) in view of Abe et al. (US 6,356,709).

Regarding claim 20, Kashiwagi discloses and meets the limitations associated with a method and associated apparatus for creating seamless presentation information of picture data in a record medium, comprising the steps of:

- a) recording picture data being received on the record medium by grouping the data into objects (Figs. 2, 20 and 24); and
- b) selectively creating the seamless presentation information (col. 43, line 35-, col. 44, line 12-, "target scene to be seamlessly connected to the preceding scene based on scenario data St7", col. 34, lines 24-64, "seamless Playback") for each object based on the type of picture data being recorded.

Regarding claim 20, 23, 32 and 37 Kashiwagi fails to disclose recording still images and therefore determining if the recorded picture is a still image.

Abe teaches a digital recorder that records high resolution still images during moving image capturing, using MPEG (Fig. 1, col. 3), wherein there exist no playback being a series of stills, therefore no seamless between them, as disclosed by Abe.

Therefore, it would have been obvious to those skilled in the art at the time of the invention to modify **Kashiwagi** by incorporating means to record still images, allowing user to generate higher resolution still images with respect to the moving image capture, selectively generated scenes to preserve special times of received images deemed more important to users, as desired, as taught by Abe, also the still scenes can be used as a table of contents for the video material.

Regarding claims 23-24, Kashiwagi further meets the limitations of seamless information is included in the Navigation information pertaining to each object (Fig. 20, "NV", "DSI", "Seamless Playback {SML\_PBI} and Angle Info for Seamless {SML\_AGLI}"), which include Flags (such as shown in Fig. 20, also see related disclosure col. 21, line 30-, "seamless playback flag SPF", etc.....).

Regarding claim 25, Kashiwagi further meets the limitations of wherein the seamless presentation information includes at least one field of SCR or system clock reference or time data

(see Fig. 19, "SCR file being a part of PKH", Fig. 20, wherein the "PKH", field having SCR field is part of NV, part of DSI), therefore, met and proven, in view of the combination of Figs. 19-20.

3. Claims 26, 31, 36, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al. (US 5,923,869) and Abe et al. (US 6,356,709), as applied and further in view of Okada et al. (US 6,181,870).

Regarding claims 26, 31, 36, 41, the combination with Kashiwagi further meets the limitations of wherein at least one field includes SCR, but, fails to disclose wherein the at least one field of the SCR comprised the last SCR of the former of two successive objects and the first SCR, of the latter of the two successive objects (see applicant disclosure Fig. 7 B).

Okada teaches at col. 42, lines 10-23, "first and last SCR of the former VOB and latter VOB, the seamless flag ... into the seamless linking information for the former VOB", as taught by Okada.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify the combination with Kashiwagi by incorporating first and last SCR values into the SCR field, being related to the former and latter respectively, of two successive objects, as taught by Okada, thereby providing more resolution of time information to utilize during reproduction operation as taught by Okada, as is deemed obvious to utilize known management structures in the same field of endeavor as is obvious to those skilled in the art.

#### **Conclusion**

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record Vincent F. Boccio whose telephone number is (571) 272-7373.

The examiner can normally be reached on between Monday thru Friday between (7:30 am to 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

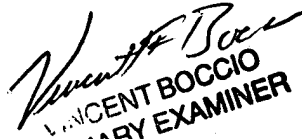
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner, Boccio, Vincent  
2/4/08

  
VINCENT BOCCIO  
PRIMARY EXAMINER